

SEMI-ANNUAL REPORT on St. Paul's School

JULY 2021



From the Overseer



In 2018, St. Paul’s School (SPS) and the office of the New Hampshire Attorney General [entered into an agreement](#) following an investigation that would “facilitate the protection of children to a greater extent than a criminal proceeding, and will ensure a system of accountability, oversight, transparency and training.” A large part of that agreement focused on the creation of an independent compliance overseer position. In October 2020, the first compliance overseer resigned, and in January of 2021, I was chosen from a list of three candidates provided to the Attorney General’s Office by St. Paul’s School to serve as the new compliance overseer. I would like to start by thank-

ing St. Paul’ School and the New Hampshire Attorney General’s Office for the opportunity to fill this important position at the School. By way of introduction, my name is Donald Sullivan and I was born and raised in New Hampshire. I attended Kimball Union Academy for four years and spent more than 20 years serving as a police officer, 16 of which as a chief of police. During my tenure as chief of police, I worked with local crisis centers, the New Hampshire Coalition Against Domestic and Sexual Violence, as well as the Attorney General’s Office in the field of domestic violence and sexual assault training, response, and prevention.

Through the 2018 agreement, the School and the Attorney General chose to put the safety and well-being of the students first, and, as such, I accepted this position with the utmost respect and gravity. I also view this position — in light of the spirit of the agreement — as an opportunity to best serve and protect the students and not as a “punishment” to the School.

The initial terms of the agreement include a requirement for the compliance overseer to submit biannual reports that contain mandatory information as outlined in the settlement. The following biannual report will address these mandatory fields as well as provide updates on other requirements of the agreement.

I began work at St. Paul’s School on January 18, 2021. At that time the students were studying through Distance Learning (DL) as part of a two-week quarantine for COVID-19 protocols. The students began returning to campus on January 23, 2021. To say that COVID-19 affected almost every aspect of our lives is an understatement. SPS took considerable steps to maintain the health of the students and employees during the pandemic while trying to maintain the status of a fully residential independent school. This resulted in a slightly smaller “on-campus” population due to some students electing or needing to stay on Distance Learning status. The School’s COVID-19 protocols also resulted in an additional two weeks of students quarantining at home following the spring break before returning to campus. There is no way to tell how much the diminished on-campus time or other COVID-19 protocols affected the number of reportable incidents, but it is reasonable to assume that there was some reduction.

Information in this report must not reveal the identities of students as either victims or offenders and as such some of the information that follows may seem vague.

A handwritten signature in black ink that reads "Donald E. Sullivan". The signature is written in a cursive, flowing style.

Donald E. Sullivan
Independent Compliance Overseer

Crisis Center Advocate Update

Pursuant to the agreement, the School is required to provide a dedicated and accessible space on campus for an advocate and to provide regular notice to students about the presence and availability of the advocate (paragraph 18 of the agreement). The [Crisis Center of Central New Hampshire](#) (CCCNH) is one of 13 domestic violence and sexual assault crisis centers in the state and serves Merrimack County and the city of Concord. The process to establish an advocate on campus had begun prior to my tenure, but the talks had stalled upon the departure of the previous compliance overseer.

A crisis center advocate provides free and confidential support to victims of domestic violence and sexual assault. The confidential aspect of their position is crucial to victims as it provides an outlet for a trained, trauma-informed professional to provide support and information to victims without judgement or fear of any retaliation. Although advocates are still considered mandated reporters under [RSA 169-C:29](#) of the Child Protection Act — meaning they must report any acts of child abuse or neglect to the NH Division for Children, Youth and Families — they are legally prohibited from sharing information about clients or provided by them with anyone unless they have the client's written consent. The availability of an advocate on campus provides an outside source of support for students that is crucial and provides a safe space for them to seek help.

When students returned to campus the weekend of January 23-24, 2021, the School and CCCNH had already been in conversation. A crisis center advocate was scheduled to be on campus by February 2, 2021 (inclement weather delayed the actual start date by one day; obviously not the fault of either party). The School provided a room that had been previously approved by CCCNH. The room had been chosen due to its location in the Friedman Community Center, making it readily accessible to students. It is on the basement floor near an exit door, providing accessibility and some privacy. (Given the physical layout of the building, a completely private entrance and exit is not possible.) The room formerly held the School's radio station so it was outfitted with soundproofing walls and its one window was frosted to enhance privacy. The School also agreed to remove a camera that had been mounted near the door to better ensure the privacy of students coming and going from the room.

The School provided signage for the door and already had posted signs (with informational pull-tabs) around campus explaining the services provided by CCCNH. The advocate also was given signage to post on the sign outside of Friedman Center indicating that she was in her office. The School announced her presence via the daily "SPS Connected" email newsletter that goes out to all students (and continued to advertise her presence every day in the same way). The 24-hour hotline number is also posted on the SPS Cares website and is ever-present on the digital sign boards located in buildings around campus. There is also a large ad with a photograph that rotates on the digital sign boards every day. The advocate was invited to introduce herself in faculty meetings and to the heads of house and the Living in Community (LinC) leaders. She also was given time to introduce herself at the end of presentations hosted by Campus Outreach Services for each form, which allowed each student to see and hear from her at a moment when her services would seem relevant.

Faculty and staff have made it common practice to provide referral information to victims and families. The advocate was presented as a direct service available to students during and following scheduled lessons on consent and sexual assault. The School's Safety Department made it a point to obtain business cards for CCCNH to have in their vehicles to hand out to students should the need arise. Over the winter, a student had approached senior administration at the School about starting a support group for survivors and for victims going through the reporting and investigative process. The student was encouraged to meet with the advocate to coordinate this group. It is clear that the School has embraced the presence of the advocate.

Maxient Misconduct Reporting System

Based on the advice of the previous compliance overseer, the School has implemented Maxient, a case management software system, to consistently track reports of misconduct on campus. These reports can include misconduct by students, faculty, or staff and can include academic misconduct, hazing, harassment, bullying, discrimination and microaggressions, sexual assault, or any other incident that may affect the safety and well-being of students. This system allows for a uniform method of record-keeping that leads to consistency, transparency, and, ultimately, faith in the system. Previously these records were kept in individual files and folders stored on the School's servers. The information was not easily searchable and since the method of organizing these files was person-specific, any change of personnel could have completely changed how the files were stored.

The Maxient software also enables anyone in the SPS community to initiate reports online. Links to make reports can be found [on the School's website](#) and intranet and in the daily newsletter emailed to all students (SPS Connected). A Google search of "how do I report misconduct at St. Paul's School" also brings you to the reporting links.

As with any new system, there were some issues encountered in fully implementing the software, including determining who would be authorized users, what types of records would be maintained by this system, and which of the multiple different features would be used. As of the writing of this report, most of those issues have been resolved and the system has been fully implemented. There will be a learning curve, and adjustments will need to be made as issues arise, which is to be expected with new technologies.

The Maxient system has an automatic notification feature that can be customized based on who is to be notified of certain types of reports and their notification preference (email, text message, or a combination of both). A report filed about a faculty member committing sexual harassment, for example, could trigger a notification to the vice rector of faculty, as well as the vice rector of student life and the Rector. A report regarding student misconduct, on the other hand, could trigger a report to the vice rector for student life and the Rector. The compliance overseer is notified of all reports and has access to the Maxient system to monitor reports for compliance issues. I recommend that after the term of the compliance overseer concludes, the School designate a minimum of two people to receive any incident reports filed through Maxient and that there be a regular review of any such reports by a specified and appropriate group of faculty and staff to ensure proper procedures are followed for each report.

Reported Incidents

INCIDENT OF NONCOMPLIANCE

One of the laws that govern the mandatory reporting requirement for schools is the Safe School Zones Act, [New Hampshire RSA 193-D](#). This law requires that schools report any act of theft, destruction, or violence to local law enforcement and that schools enter into a memorandum of understanding with the local law enforcement agency to dictate the manner in which those reports are made. There is a clause in the law that excludes cases of simple assault, as long as the school follows internal discipline policies and notifies the parents of the involved parties.

In January, there was an incident of a simple assault between two students at a sporting event. A faculty member witnessed the assault and reported it to a supervisor. The supervisor then decided to handle the incident internally but neglected to notify the parents of both students. When the victim of the assault was not satisfied with the results of the internal process, the Dean of Students Office became involved. At this point it became evident that proper parental notification had been made.

The School then notified all parents and also filed a report with the Concord Police Department. Steps were then taken to resolve the matter in a way acceptable to all parties and intervention by the Concord Police was not necessary.

The School immediately implemented extended training to faculty regarding reporting requirements and the importance of “widening the circle” to ensure that proper reporting requirements are followed. Even though this department head may have had the best of intentions, the complexities of the mandatory reporting laws are difficult to navigate.

I recommend that the School continue with in-depth training for all faculty in the area of reporting requirements.

INCIDENT REQUIRING EXTERNAL INVESTIGATION

At one point during the spring term, the School received some reports from students regarding possible sexual harassment and intimidating behavior from a particular group of students. The School took immediate steps to curtail the actions of this group and hired an external investigator to pursue the reports.

The investigator interviewed 22 students and one faculty member, as well as reviewed several documents as part of the investigation. When the investigation concluded, any students who may have faced possible disciplinary action withdrew from the School prior to the commencement of any disciplinary proceedings. Although some “reportable incidents” were part of the initial complaint and were properly reported, no new reportable incidents arose from the investigation.

It is my hope that the steps taken throughout this incident will set an example to all students that such behavior will not be accepted. Hopefully it will both discourage such behavior and empower victims to come forward knowing that they will be believed and action will be taken.

COMPILED LIST OF REPORTED INCIDENTS

There are three laws that dictate mandatory reporting by St. Paul’s School: the [Child Protection Act, N.H. RSA 169-C](#); the [Safe School Zones Act, N.H. RSA 193-D](#); and [Student Hazing, N.H. RSA 631:7](#). A requirement of the 2018 agreement between SPS and the New Hampshire Attorney General is that this report contain a “numerical summary of sexual harassment and/or physical abuse incidents involving students that the Compliance Overseer has been made aware of since the issuance of the prior bi-annual report to the NHAG.”

The following table is a list (without any identifying information) of all external reports made by the School since January 18, 2021, when I assumed the position of compliance overseer. These reports are only indicative of incidents that were either reported or discovered by the School and do not include the results of any investigation or information on who, if anyone, conducted further investigations.

Reporting Person	Offender	On/Off Campus	Report	Active/Historic
1 Student	Non-student	Off	Possible child abuse	A
2 Staff	Student	On	Purchase of controlled drug	A
3 Clark House*	Non-student	Off	Sexual assault (non-consensual due to age)	H
4 Clark House	Student	On	Physical abuse/bullying	H
5 Clark House	Student	Off	Sexual assault (non-consensual due to age)	H
6 Admission	Prospective student	Off	Child abuse	H
7 Clark House	Student	On	Sexual assault (non-consensual due to age)	A
8 Faculty	Student	On	Simple assault	A
9 Safety	Student	On	Sexual assault (non-consensual due to age)	A
10 Student (not the victim)	Student	On	Sexual assault (non-consensual due to age)	A/H
11 Student (not the victim)	Student		Sexual assault (non-consensual due to age)	A/H
12 Student	Non-student	Off	Sexual assault	H
13 Safety	Student	On	Criminal mischief	A
14 Faculty	Non-student	Off	Child abuse	A
15 Faculty	Non-student	Off	Assault/possible sexual assault	H
16 Clark House	Non-student	Off	Possible sexual assault	H
17 Clark House	Non-student	Off	Coerced underage sex	H
18 ASP director**	Non-student	Off	Child abuse	H
19 ASP student	Non-student	Off	Sexual assault	H

*Clark House is the School's health center, open seven-days-a-week, 24-hours-a-day when students are on campus.

**ASP is the School's Advanced Studies Program for New Hampshire high school rising seniors.